

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

SUSAN M. ARCURI,

Plaintiff,
-v-
6:15-CV-0798
(DNH/TWD)

MAJOR KEVIN SCHOCH, BETTINA CARMEN,

Defendants.

APPEARANCES:

SUSAN M. ARCURI
Plaintiff, Pro se
60 Pond Lane
Utica, NY 13501

DAVID N. HURD
United States District Judge

DECISION and ORDER

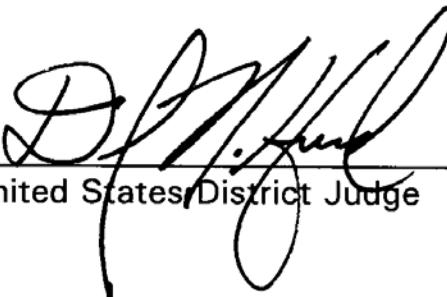
Pro se plaintiff Susan M. Arcuri brought this action alleging violations of the Americans with Disabilities Act (“ADA”), 42 U.S.C. § 12101. On July 2, 2015, the Honorable Thérèse Wiley Dancks, United States Magistrate Judge, advised by Report-Recommendation that plaintiff's complaint be dismissed without prejudice to submit an amended complaint. No objections to the Report-Recommendation were filed. As discussed in the Report-Recommendation, if plaintiff wishes to amended complaint, such complaint shall comply with the requirements of Federal Rule of Civil Procedure 8.

Based upon a de novo review of the portions of the Report-Recommendation, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

Therefore, it is ORDERED that:

1. Plaintiff's complaint in this action is **DISMISSED**, in its entirety, with leave to amend within thirty (30) days of the date of this Decision and Order. Plaintiff is reminded that any amended complaint will replace her prior complaint in its entirety;
2. In the event plaintiff fails to file an amended complaint within thirty (30) days of the date of this Decision and Order, this case will be closed and judgment entered accordingly without further order; and
3. The Clerk serve a copy of this Decision and Order upon plaintiff in accordance with the Local Rules.

IT IS SO ORDERED.



United States District Judge

Dated: September 24, 2015
Utica, New York